

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

OLIVER L. SANDERS, III,

Petitioner,

Case No. 3:22-cv-291

vs.

WARDEN, London Correctional
Institution,

District Judge Michael J. Newman
Magistrate Judge Kimberly A. Jolson

Respondent.

**ORDER: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE
MAGISTRATE JUDGE (Doc. No. 19); (2) OVERRULING PETITIONER’S OBJECTIONS
(Doc. No. 20); (3) DENYING PETITIONER’S CLAIMS AND DISMISSING WITH
PREJUDICE HIS PETITION FOR A WRIT OF HABEAS CORPUS (Doc. No. 1); (4)
DENYING ANY REQUESTED CERTIFICATE OF APPEALABILITY; (5) CERTIFYING
THAT AN APPEAL OF THIS ORDER WOULD BE OBJECTIVELY FRIVOLOUS AND
FINDING THAT PETITIONER SHOULD BE DENIED *IN FORMA PAUPERIS* STATUS
ON APPEAL; (6) AND TERMINATING THIS CASE ON THE DOCKET**

Petitioner Oliver L. Sanders, III (“Petitioner”), an inmate in state custody, brings this case *pro se* seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Doc. No. 1. The case is before the Court upon the Report and Recommendation of United States Magistrate Judge Kimberly A. Jolson (Doc. No. 19), to whom this case was referred pursuant to 28 U.S.C. § 636(b). Judge Jolson recommends that this Court deny Petitioner’s claims and dismiss his petition with prejudice. Doc. No. 19 at PageID 780-99. Petitioner has timely filed objections to the Report and Recommendation. Doc. No. 20. As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed Judge Jolson’s comprehensive findings and considered *de novo* all filings in this matter, including Petitioner’s objections.

Upon careful *de novo* consideration of the foregoing, the Court concludes that Petitioner’s objections lack merit and that the Report and Recommendation sets forth the applicable law and is

well reasoned. Accordingly, the Court: (1) **ADOPTS** the Report and Recommendation; (2) **OVERRULES** Petitioner's objections; (3) **DENIES** Petitioner's claims and **DISMISSES WITH PREJUDICE** his petition for a writ of habeas corpus; (4) **DENIES** any requested certificate of appealability; (5) **CERTIFIES** to the United States Court of Appeals for the Sixth Circuit that an appeal of this Order would be objectively frivolous and **FINDS** that Petitioner should be denied *in forma pauperis* status on appeal; and (6) **TERMINATES** this case on the docket.

IT IS SO ORDERED.

April 4, 2024

s/Michael J. Newman
Hon. Michael J. Newman
United States District Judge